

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

YOLANDA L. SMITH-BUTTS,)	
<i>Plaintiff,</i>)	
)	
)	Civil Action No. 1:19-cv-901 (AJT/IDD)
v.)	
)	
NANCY A. BERRYHILL, Acting)	
Commissioner of the Social Security)	
Administration,)	
<i>Defendant.</i>)	
_____)	

ORDER

This Social Security Disability appeal is before the Court on the Report and Recommendation [Doc. No. 21] of the Magistrate Judge recommending that Plaintiff's Motion for Summary Judgment [Doc. No. 13] be granted in part, and Defendant's Motion for Summary Judgment [Doc. No. 16] be denied in part, and the decision of the Commissioner be vacated and the case be remanded for further review. The Magistrate Judge advised the parties that objections to the Report and Recommendation must be filed within fourteen (14) days of service and that failure to object waives appellate review. No objections have been filed. Having conducted a *de novo* review of the evidence in this case, the Court adopts and incorporates the findings and recommendations of the Magistrate Judge.

Accordingly, it is hereby

ORDERED that the findings and recommendations of the Magistrate Judge are hereby ADOPTED and incorporated in full and without modification; and it is further

ORDERED that Plaintiff's Motion for Summary Judgment [Doc. No. 13] be, and the same hereby is, GRANTED in part; and it is further

ORDERED that Defendant's Motion for Summary Judgment [Doc. No. 16] be, and the same hereby is, DENIED in part; and it is further

ORDERED that the decision of the Commissioner be VACATED; and the case be REMANDED for further review consistent with this Court's decision.

The Clerk is directed to forward copies of this Order to all counsel of record.

Alexandria, Virginia
August 19, 2020



Anthony J. Trenga
United States District Judge